

JOANN S. MOUNCE,)
)
Plaintiff,)
)
v.) No. 4:07-CV-1413 CAS
)
MICHAEL J. ASTRUE, Commissioner)
of Social Security,)
)
Defendant.)

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge Lewis M. Blanton, filed August 26, 2008. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the Court reverse the decision of the Commissioner and remand the case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Neither party has filed an objection to the recommendation and the time to do so has passed.

After careful review of the matter, the Court concurs with the recommendation of the Magistrate Judge that the Commissioner's decision in this matter should be reversed and this case remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g), in order for the Administrative Law Judge to determine whether plaintiff's mental impairments were disabling prior to July 28, 2006, assign to proper weight to the opinion of psychologist Mr. Stock, obtain additional evidence from a mental health expert as directed by the Appeals Council, and formulate a mental residual functional capacity based on the medical evidence in the record.

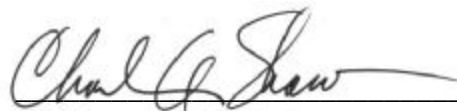
Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 12]

IT IS FURTHER ORDERED that the decision of the Commissioner is **REVERSED**.

IT IS FURTHER ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), this case is **REMANDED** to the Commissioner for further proceedings consistent with the Report and Recommendation and this Order.

An appropriate Judgment of Remand will accompany this Order.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 11th day of September, 2008.